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SERVICE DATE – JANUARY 29, 2015

SURFACE TRANSPORTATION BOARD

DECISION

Docket No. FD 35851

GREAT CANADIAN RAILTOUR COMPANY LIMITED D/B/A ROCKY MOUNTAINEER
— PETITION FOR EXEMPTION FROM 49 U.S.C. SUBTITLE IV

Decided: January 29, 2015

By petition filed on October 31, 2014, Great Canadian Railtour Company Limited d/b/a Rocky Mountaineer (Rocky Mountaineer or Petitioner) seeks an exemption under 49 U.S.C. § 10502 from 49 U.S.C. Subtitle IV of the Interstate Commerce Act, as amended by the ICC Termination Act of 1995. Rocky Mountaineer describes itself as an excursion company that offers luxury train vacation packages in the provinces of British Columbia and Alberta, Canada, with limited extensions to Washington State. Petitioner seeks Board authority for its rail passenger service between Vancouver, B.C., and Seattle, Wash., and concurrently requests an exemption from all common carrier obligations in Subtitle IV permitted by the statute. BNSF Railway Company filed a reply in opposition to Rocky Mountaineer's petition on November 20, 2014.

The petition for exemption raises issues that require further consideration by the Board. By this decision, the Board is instituting a proceeding under 49 U.S.C. § 10502(b). At this time, the Board is not requesting the submission of additional evidence.

It is ordered:

1. Under 49 U.S.C. § 10502(b), a proceeding is instituted.
2. The proceeding will be completed on or before October 29, 2015.
3. This decision is effective on its date of service.

By the Board, Rachel D. Campbell, Director, Office of Proceedings.